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DS TO A SUIT FOR DAMAGES

but few of the opinions were there either critical law points or remarkable facts.

An interesting opinion handed down was that of Judge Smith, in which the circuit court of Nodaway county is sustained in a finding for the plaintiff in a libel case a finding for the plaintiff in a libel case growing out of a church schism. The suit was brought by Frank Griffin against Daniel Pembroke. Plaintiff charged that the defendant had him maliciously arrested and tried before a United States commissioner for sending a postal card through the United States mails in violation of the United States mails in violating matter which shall appear on a postal. The plaintiff got judgment in the trial court.

United States commissioner drew it up and the defendant swore to it, and the court held that that was wherein he laid himself liable.

The defendant in the case was a Catholic priest, in charge of St. Patrick's church, at Marysville. He and the phisniff were personally on friendly terms, although they held different views as to the merits of the dispute within the church growing out of the teaching of the catechism in Sunday school.

The postal card read: "My Dear Sir:—It is with regret that I once more ask you to take your choice. I will vindigate myself if I live. The truth and the whole truth must come out. (Signed) Respectfully. Frank Griffin."

The opinion reviews the language of the postal card which was only made clear by reference to a sealed letter previously written, and affirms the Judgment. The case is an interesting one inasmuch as it furnishes an example of a state court reviewing a proceeding of a federal court and passing judgment thereon.

The Burnes Divorce Case.

The Burnes Divorce Case.

The Burnes Divorce Case.

In an opinion by Judge Smith the decision of the Platte county circuit court in granting Fielding Burnes a divorce and in refusing to set the decree aside as prayed by Mrs. Gertrude L. Burnes, was sustained. This case had been a very completions one in both the Jackson county and Platte county courts. Mrs. Burnes was a very young woman, who married a very old and wealthy citizen of Platte county. The marriage took place at Independence three years ago upon the meeting of the couple in this city by prearrangement. They had met each other previously in Washington.

1. C. Later Mrs. Burnes came to Kansas City and filed a sensational divorce suit in the Jackson county circuit court. About the same time Mr. Burnes, who was then living at his old home in Platte county, brought similar proceedings at Plattsburg. By some means he had the case pushed forward on the docket and got it to trial before Mrs. Burnes could do likewise in Jackson county. She did not fight the case in Platte county, but turned her attention to fightly her suit here. After getting his suit in Platte county, but unned her attention to fightly her suit here. After getting his suit in Platte county, but unned her attention to fightly get to dear the suit here. After getting his suit in Platte county, but unned her attention to fightly get to dismiss the proceedings here on the ground that the Platte county court had settled the case. Judge Slover sustained the motion, Mrs. Burness then went to Platte county and brought proceedings there to set aside both the interlocutory and the final decrees in the case on the grounds of hos service. Mrs. Burnes' attorneys showed that personal service had been had upon her, but that the plaintiff thad later had service by publication he thereby abandoned the personal service had been had upon her, but that the plaintiff thad later had service by publication he thereby abandoned the personal service by decreased the motion and Mrs. Burnes appealed, to be again bea The Burnes Divorce Case.

the plaintiff, who will now get his \$10, while the university will pay the long list of costs. The opinion states that Neidemeyer accepted the contract when he lirst entered the university as it then was stipulated in the official catalogue and that the contract was in its entirety for the whole course.

The court, in a decidedly brief opinion, affirmed the judgment of the criminal court of Saline county, at Marshall, in convicting J. M. Hayden of petit larceny and fining him \$15. affirmed the judgment of the criminal county of Saline county, at Marshail, in convicting of Saline county, at Marshail, in convicting him \$1.2 \text{Signature}. The school district No. 4, of Mercer county is the worst of it in a decision in try, got the worst of it in a decision in the case against the State Insurance County is county. The school district steed and got party. The school district steed and got in the policy was that the building was the body was that the building was and for this reason the company appealed in the policy was that the building was and so while it was only worth \$400, and for this reason the company appealed. The school commissioners had only intended to have it put in the policy at \$400, and so stated, but the agent of the insurance company, it appears, drew up the policy with the slatement that it was worth \$500 incorporated. The commissioner shall be company appealed. The school district got judgment for \$400 in the lower court, but the judgment was worth \$500 incorporated. The commissioner sealing it, and this, the opinion says, is where they made their error. They should have read the contract apparently without reading it, and this, the opinion says, is worth \$500 incorporated. The commissioner state is the lower court, but the judgment was worth \$500 into the lower court, but the judgment was reversed yesteriay.

Rebecca E. Peed, respondent, against the lower court, but the judgment was a case against the special special property and tore down the plaintiff's fences and took possession of some of her property and tore down the plaintiff's fences and took possession of some of her property and tore down the plaintiff's fences and took possession of some of her property and tore down the plaintiff's fences and took possession of some of her property and tore down the plaintiff's fences and took possession of some of her property and tore down the plaintiff's fences and took possession of some of her property and the document of the feat that the condemnation proceedings had

Opinions Delivered.

By Smith, Judge.

2013. John Yeager, respondent, vs. Chicago, Burlington & Quincy Railroad Company, appellant; Worth county: reversed.

2348. W. B. Godman, respondent, vs. W. Gordon and W. L. Victor, garnishee, appellants; Boone county; affirmed.

2520. Citizens National bank, appellant, vs. J. M. Durrill et al. respondents; Pettis county; reversed and remanded.

2628. State of Missouri, respondent, vs. F. W. Lewis, appellant; Buchanan county; reversed.

reversed.

3814. Richard Dawson, appellant, vs. T.
P. Quillen, respondent; Carroll county; reversed and remanded.

3918. Frank Griffin, respondent, vs. Daniel Pembroke, appellant; Nodaway county;
addramed.

237. Burnett & Craft, appellants, vs. W. D. Hockaday, respondent; Clinton county; affirmed.

2329. Reid, Murdock & Co., appellants, vs. Lloyd & Moorman, respondents; Livingston county; affirmed.

2342. Chapman Lightner's administrators, respondents, vs. E. C. Gregg et al. appellants, t. Livingston county; affirmed.

2350. C. D. Smith Drug Co., appellant, vs. Bette T. Hill, garnishee, respondent; Buchanan county; reversed and remanded.

2355. Gate City Electric Co., appellant, vs. Joseph A. Corby, garnishee, respondent; Buchanan county; affirmed.

2377. F. M. Hayward et al, respondents, vs. Charles Adams & Son, appellants; Linn county; affirmed.

2377. Bauer Grocery Company, appellant, vs. John W. Smith, respondent; Pettis county; reversed and remanded.

ourt of says.

Of us all, says Hamlet, but there are some nearly who have no conscience at all, among them are dealers who endeavor to naim upon the public cheap, corresive substitutes of pure and fragrant SOZOIONT.

Let the public be on its guard against such

By Request of Mr. Rozzelle.

By advice of City Counselor Rozzelle, the auditing committee of the council withheld the bills of the gas company for the gas furnished the engine houses and patrol stations of the fire department vesterday. The bills amount to only about 115e but Mr. Rozzelle asked that they be not settled until the question of dollar gas has been passed upon. They were not sent to the council for payment.

"I find the Royal Baking Powder superior to all the others in every respect. It is entirely free from all adulteration and unwholesome impurity, and in baking it gives off a greater volume of leavening gas than any other powder. Walter S. Haines, M. D., "Chemist to the Chicago Board of Health.

The Election To-day By Request of Mr. Rozzelle.

Bond for His Appearance in Court

eutenant in political work, were shining

presence yesterday.

A perusal of the indictments returned by the state and grand farceny, we can be expended for the indictments returned by the crained jury on last Friday show that C. S. Owsley was indicted on three separate counts for illegally registering voters, and that Bristow was also indicted on three separate counts for illegally registering voters, while serving as a deputy under oweley, we have a superior of official examiner while serving as a deputy mole oweley, and fristow are joint ones, containing also a new indictment against John May and Joseph Pierce, allas "Frenchy," a porter in the saloon of John Moran, who made himself service about these parts work, and who is said to be now in Canda, The chargest against May and Pierce in these joint indictments are that they included oweley and Bristow to permit these illowed parts and that the last that which has thus saved the first official registrations and affect and after the county miles a few dollars, at the service work, and was included and abetted the county miles a few dollars, at the service work and street and names of illegally restored voters are specified in each. These indictments are all allike save that ifferent dates and names of illegally restored voters are specified in each years and provided of the cases at \$550 cach when the criminal court convened years are voters are specified in each of the county course of the county after the county of the county superior work. Clerk Stone-street dates and names of illegally restored voters are specified in each of the county after the flower of the service of the county after the case were all of the save that ifferent dates and names of illegally restored voters are specified in each of the county after the flower of the salound the county after the flower of the salound the county after the flower of the salound the county after the case were all of the case and the county of the county o

J. B. Mattock, appellant; Randolph county; and propellant was fixed at \$750 each for two of them, and was fixed at \$750 each for two of them, and was furnished with Charles S. Owsley and John C. 1252. Charles H. Seamen, respondent, vs. Harry J. Paddock, appellant; Buchanan county; affirmed.

2523. Charles H. Seamen, respondent, vs. Harry J. Paddock, appellant; Buchanan county; affirmed.

2523. A. J. Cook, respondent, vs. David Farber, appellant; Buchanan cunty; reversed and remanded.

Conscience Makes Cowards

Of us all, says Hamlet, but there are some people who have no conscience at all. Among them are dealers who endeavor to palm upon the public cheap, cornesive substitutes of pure and fragrant SOZGONNT. Let the public be on its guard against such shams.

Notice.

The members of the family desire to extend appreciation and express their feeling etc., for the many kind attentions shown during the sickness and death of A. G. Smith, Mr. A. G. Smith and dampiter. Bertie; Syl T. Smith and family; C. S. Smith and family; I. Markiey and family.

By Request of Mr. Rozzelle.

County Judges and Others Will Ornament the Court Vard.

lings here on the ground that the Plate county court had settled the case. Judge Slover sustained the motion, Mrs. Burnes, St. Frank Griffin, respondent, vs. Dan. Frank Griffin, respondent, vs. Dan. Frank Griffin, respondent, vs. Dan. Frank Griffin, respondent, vs. Mrs. Frank Griffin, respondent, vs. Mrs. Frank Griffin, respondent, vs. Mrs. Burnes, appellant (excess in the frank service. Mrs. Burnes, appellant (excess in the grounds of no service. Mrs. Burnes, appellant (excess on the grounds of no service. Mrs. Burnes, appellant (excess in the plaintiff had fater had service) by public access on the grounds of no service. Mrs. Burnes, appellant (excess in the plaintiff had fater had service) by the court hold in the plaintiff had fater had service, and that as the publication, was defective the defendant was never in court. The Platte county court overruled the motion and Mrs. Burnes, appellant (excess in the motion and Mrs. Burnes appellant) and the motion and Mrs. Burnes appellant (excess in the motion and Mrs. Burnes a

If any one who has been benefited by the use of Pr. Williams' Pink Pills will write to J. C. Storm, care the Journal, they will receive information that will be of much value and interest to them.

PIPER HEIDSIECK PLUG TOBACCO. CHAMPACA

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City, Kas.; consumption; burial in Union counters.

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Personat.

If any one who has been benefited by the use of Dr. Williams Pink Pilis will write to J. C. Storm, care the Journal they will receive information that will be of much value and interest to them.

PIPERHEIDSIECK

City, Kas.; consumption; burial in Union cemetry.

West, Harry E.; aged 22 years; residence 221 East Eighth street; consumption; burial in Emwood comittery. Williams Mrs. Fauny aged 58 years; residence, 156 Waching; burial in Elmwood comittery. Williams Mrs. Fauny aged 59 years; residence, 156 Waching; burial in Chion cemetry.

Self, Daniel S.; aged 69 years; residence, 216 Jarbos street; consumption; burial in Mount St. Mary's conserved the constitution of the consti

tery.

Benning, Mary; aged 75 years; residence.
Springfield avenue and Locust street; influence; burial in Mount St. Mary's cem-"The Royal Baking Powder is a cream of tartar powder of a high degree of merit and does not contain either alum or phos-phates, or any injurious substances. E. G. Love, Ph. D.," late U. S. Govt. Chemist.

Births Reported.

The following births were reported to the board of health yesterday:
Neibert, J. P. and Ada E.; girl; 218 East Thirtieth street; March 19.
Cremshaw, James A. and Bridget E.; boy: 1007 East Eighth; March 30.
Thayer, Ruffus E. and Lilla; boy; 224 Wyandotte street; March 28.
Flashive, Edward and Mary; girl; 264 Jefferson street; March 22.
Lefferly, A. J. and A. J.; boy; 1862 Prospect avenue; March 22.
Lillis, James F. and Mary E.; boy; 2712 Sammir; March 28.
Crandall, Ernest and Ida; boy; 1996 Indiana; March 28.
Cowick, Elmer and Nottie; boy; 2308 East Fifteenth street; March 25. Births Reported.

Marriage Licenses Issued. following couples were yesterday

Name, James H. Owens, Kansas City..... Laura Young, Kansas City..... James W. Duncan, Blue Springs, Mo. 23 Hattle May St. Clair, Blue Springs, Mo. 18

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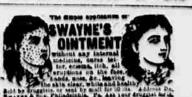
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